

Message Text

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TO SECSTATE WASHDC NIACT IMMEDIATE 4429

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E.O. 11652: N/A

TAGS: PFOR, PINT, SP

SUBJ: ARIAS' SPEECH TO THE CORTES

BEGIN SUMMARY. ARIAS' SPEECH TO THE LARGELY CONSERVATIVE CORTES BALANCES A STRONG EMPHASIS ON RESPECT FOR THE FRANCO PAST AND ITS INSTITUTIONS (COUPLED WITH A STRONG CALL FOR LAW AND ORDER) AGAINST AN OUTLINE OF AREAS OF REFORM LEADING TOWARD A DEMOCRATIC SPAIN MORE IN TUNE WITH WESTERN EUROPE. SHORT ON SPECIFICS, THE SPEECH WAS MORE A DECLARATION OF INTENTIONS THAN A PROGRAM, DISAPPOINTING EXPECTATIONS FOR SOMETHING MORE CONCRETE AND LEAVING THE KEY QUESTIONS ABOUT EXACTLY HOW TO REFORM THE SPANISH POLITICAL SYSTEM UNTIL LATER. (ARIAS PROMISED TO COMPLETE THE REFORM EFFORT BY THE END OF THE PROROGATION OF THE CORTES - NOW SET FOR JUNE 30,1977). WE EXPECT PRESS INTERPRETATIONS WILL VARY CONSIDERABLY, DEPENDING ON WHETHER THEY DEAL WITH THE PARTS OF THE SPEECH AIMED AT THE "BUNKER" OR THE PARTS THAT DEAL WITH REFORM IN KEY AREAS. END SUMMARY.

1. PREMIER ARIAS NAVARRO ADDRESSED THE "CORTES" AND THE NATION

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VIA TV JAN 28. FREQUENT PUBLIC DISCUSSION OF THE GOVT'S

INTENTIONS BY CABINET MINISTERS IN THE PAST MONTH GENERATED AN ATMOSPHERE OF EXPECTATION THAT ARIAS WOULD OUTLINE A SPECIFIC POLITICAL PROGRAM, WHICH THIS SPEECH WAS NOT, BEING A GENERAL DISCUSSION OF INTENTIONS.

2. ARIAS SAID THE PROPER FORUM FOR ANNOUNCING THE GOVT PROGRAM IS THE "CORTES," "THE LEGITIMATE REPRESENTATIVE" OF THE PEOPLE WHICH HAS THE RESPONSIBILITY OF RECASTING IT INTO APPLICABLE LAW. THE NATION HAD MOVED INTO A NEW ERA WHICH WAS DIFFERENT BUT NOT DISTINCT FROM AN EARLIER ONE, REQUIRING LIMITED CHANGES. HE PAID A LENGTHY TRIBUTE TO THE ACHIEVEMENTS OF FRANCO, DRAWING PROLONGED APPLAUSE FROM THE CONSERVATIVE CORTES.

3. HE DESCRIBED THE MONARCHY AS "ARBITRAL", COMPARABLE TO MONARCHIES ELSEWHERE IN EUROPE. THE KING, HE SAID, HAS A "MODERATING FUNCTION" AND IS NOT RESPONSIBLE FOR THE GOVT'S SPECIFIC ACTIONS NOR SHOULD THE MONARCHY BE IDENTIFIED WITH POLITICAL GROUPS, PUTTING SOME USEFUL DISTANCE BETWEEN KING AND GOVERNMENT OF THE DAY. ARIAS THEN PROPOSED SPECIFIC REFORMS WITH RESPECT TO THE MONARCHY: (1) A REDUCTION IN THE MINIMUM AGE REQUIREMENT OF 30 FOR THE ASSUMPTION OF POWERS BY THE HEIR TO THE THRONE, (2) A REVERSION TO THE SPANISH TRADITION OF A REGENT DRAWN FROM THE ROYAL FAMILY RATHER THAN A REGENCY COUNCIL UNDER THE PRESENT LAW OF SUCCESSION, AND (3) A CHANGE TO PERMIT THE MONARCHY TO PASS TO A QUEEN.

4. IN AN OPAQUE PASSAGE, ARIAS SAID THE NATIONAL MOVEMENT, REPRESENTED THE "BASIC SOCIAL PACT" AND ITS INSTITUTIONAL ORGANS HAVE A MAJOR RESPONSIBILITY IN PROVIDING CHANNELS FOR THE INTEGRATION OF DIFFERENT POLITICAL VIEWS, BUT IMPLIED THAT CONSIDERABLE REFORM MIGHT BE NECESSARY.

5. WITH RESPECT TO REFORM IN GENERAL ARIAS SAID THAT THE GOS WOULD MAKE A "CONTROLLED ADVANCE" AND NOT IMPROVISED AND IRRESPONSIBLE CHANGES; IN SHORT, MOVEMENT "WITHOUT HASTE AND WITHOUT PAUSE". HE TALKED OF DEMOCRACY SEVERAL TIMES, REMINDING OUTSIDERS THAT SPAIN WOULD NOT COPY OTHER COUNTRIES BUT WOULD DEVELOP NEW STRUCTURES BASED ON SPANISH NEEDS, EXPERIENCES AND PREFERENCES. THIS DEMOCRACY WOULD BE MONARCHICAL, REPRESENTATIVE ON BOTH A "TERRITORIAL AND CORPORATE BASIS", AND LIMITED OFFICIAL USE

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SOCIAL IN CONTENT.

6. ARIAS HAMMERED AWAY AT LAW AND ORDER BUT HINTED THAT THE GOVERNMENT WAS CONSIDERING FURTHER ACTIONS TO SUPPLEMENT THE NOV 25 1975 ROYAL CLEMENCY DECREE. HE POINTED OUT THAT THERE WERE ONE-HALF AS MANY PRISONERS IN SPANISH JAILS AS IN JUNE, 1936 WHEN THE POPULATION WAS ONE-FIFTH LARGER. HE REITERATED THE GOVT'S DETERMINATION NOT TO COUNTENANCE

TERRORISM, SEPARATISM, ANARCHISM, AND COMMUNISM. ARIAS THEN PROMISED TO SUBMIT BILL TO "CORTES" MODIFYING ARTICLES IN PENAL CODE, IMPLYING VAGUELY THAT THIS WOULD TAKE CARE OF THE CONTROVERSIAL ANTI-TERRORIST DECREE LAW. GOVT WOULD SPARE NO MEANS TO PRESERVE LAW AND ORDER, HE SAID, NOR WOULD IT LOSE ITS HEAD IN CARRYING OUT THE TASK.

7. WITH RESPECT TO THE REGIONAL ISSUE ARIAS SAID THAT REGIONS SHOULD HAVE INSTITUTIONAL ORGANIZATION BUT THAT MODERN GOVT NECESSITATED LARGE UNITS. INITIATIVE LIES WITH THE REGIONS BUT GOVT HAD MEANWHILE ACTIVATED SPECIAL COMMITTEE TO PREPARE A SPECIAL ADMINISTRATIVE STATUTE FOR TWO BASQUE PROVINCES AND ANOTHER FOR "BARCELONA PROVINCE."

8. RE POLITICAL REPRESENTATION ARIAS SAID THE RESPONSE TO THE STATUTE ON POLITICAL ASSOCIATIONS HAD BEEN "SATISFACTORY IN A LIMITED DEGREE" AND GOVT IS AWARE OF ITS "INADEQUACIES AND EXCESSIVE PRECONDITIONS". HE ADDED, IN AN OPAQUE PASSAGE THAT GOVT WAS PREPARED TO RECONSIDER IT TO ALLOW FOR CHANNELS OF PARTICIPATION FOR ALL POLITICAL GROUPS SO LONG AS THEY RESPECT THE BASIC LAWS. ARIAS SAID MOMENT HAD COME TO MAKE SPANISH REPRESENTATIVE BODIES COMPARABLE TO THOSE IN EUROPE. MOVEMENT'S NATIONAL COUNCIL COULD BE BROADENED AND ITS FUNCTIONS REFORMULATED. TOGETHER WITH THE "CORTES" THIS BODY WOULD PROVIDE BASIS FOR FUNCTIONING BICAMERAL SYSTEM CONSISTENT WITH EUROPEAN PRACTICE AND SPANISH TRADITION AS WELL.

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9. AFTER ACKNOWLEDGING THAT PROVISIONS FOR RIGHT OF ASSEMBLY AND DEMONSTRATION FELL SHORT OF THE NEEDS FOR THE EXERCISE OF POLITICAL FREEDOMS, ARIAS PROMISED TO SUBMIT A GOVT BILL TO BRING THE LAWS UP-TO-DATE. THIS AND OTHER REFORMS WOULD BE CARRIED OUT DURING THE EXTENDED SESSION OF THE PRESENT "CORTES". (THE KING, AFTER RECEIVING A FAVORABLE OPINION FROM THE COUNCIL OF THE REALM ON THE GOVT'S REQUEST FOR AN EXTENSION, APPROVED JAN 27 THE EXTENSION OF THE PRESENT "CORTES" MANDATE TO JUNE 30,1977.)

10. ARIAS PAID A GLOWING TRIBUTE TO THE ARMED FORCES FOR THEIR EXEMPLARY CONDUCT IN THE SAHARA AND THEIR COMMITMENT TO SAFEGUARDING NATIONAL INDEPENDENCE AND UNITY AS WELL AS RESPECT FOR THE INSTITUTIONAL ORDER. HE SAID THAT THE GOVT WOULD SEEK MUTUAL RESPECT FOR INDEPENDENCE IN ITS RELATIONS WITH THE CHURCH AND WOULD DEAL WITH THE NON-CATHOLIC FAITHS IN CONFORMITY WITH THE FUNDAMENTAL RIGHT OF RELIGIOUS FREEDOM. TURNING TO THE PRESS, ARIAS PROMISED TO SUPPORT THE IMPROVEMENT OF THE PRESS LAW OF 1966 BUT WARNED THAT GOVT, FOLLOWING THE EXAMPLE OF OTHER "GOVTS WITH THE CLEANEST DEMOCRATIC TRADITION" WOULD CURB PUBLICISTS WHO CAMPAIGN AGAINST THE STATE, SOCIETY, THE LIMITED OFFICIAL USE

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FAMILY, AND PUBLIC AND PRIVATE MORALITY.

11. ARIAS SAID FOREIGN AFFAIRS WOULD BE INTIMATELY LINKED WITH INTERNAL AFFAIRS. SPAIN WOULD SEEK FULL INTEGRATION WITH EUROPE INCLUDING "POSSIBLE ALTERNATIVES" WITH NATO. AFTER NOTING THAT EARLIER BILATERAL AGREEMENTS WITH US FAILED TO TAKE INTO ACCOUNT "AN ADEQUATE RECIPROCITY IN RIGHTS AND OBLIGATIONS", ARIAS SAID THAT GOVT HAD OBTAINED "A MORE SATISFACTORY DEFINITION" OF THESE MUTUAL CONTRIBUTIONS IN THE MOST RECENT TREATY. AFTER MAKING BRIEF REFERENCES TO SPAIN'S RELATIONS WITH THE SPANISH-SPEAKING COUNTRIES AND THE ARAB COUNTIRES, ARIAS SAID GOVT WOULD SEEK GIBRALTAR'S RETURN "THROUGH NEGOTIATION".

12. ECONOMIC ASPECTS ARE COVERED IN SEPTTEL, BUT IN PROMISING AN ECONOMIC PROGRAM HE LAID EMPHASIS ON THE NEED FOR SHARING BURDEN EQUITABLY AND FOR TAX REFORM, A SOUND POLITICAL MOVE.

13. ARIAS' SPEECH DID NOT LIVE UP TO EXPECTATIONS, BEING A STATEMENT OF INTENTIONS MORE THAN THE PROGRAM WHICH HAD BEEN EXPECTED. AT THE SAME TIME, HE DISCUSSED, OFTEN IN VAGUE

TERMS, REFORM IN ALL THE KEY AREAS AND LAID THE ONUS ON THE CORTES, WHICH MIGHT BE INCLINED TO ATTENUATE THEM, TO PERFORM IN ACCORDANCE WITH THE HISTORICAL MOMENT. THE SPEECH READS BETTER THAN ITS DELIVERY, WHERE THE EMOTIONAL EMPHASIS LAY ON RESPECT FOR THE PAST AND ON LAW AND ORDER, THE TEXT BEING RATHER BALANCED BETWEEN THIS ASPECT AND THE NEED FOR REFORM. THE PROROGATION OF THE CORTES UNTIL JUNE 30, 1977, AGREED TO YESTERDAY BY THE COUNCIL OF THE REALM, SETS UP THE TIMETABLE. ALTHOUGH A REFERENDUM IS NOT MENTIONED, IT IS INHERENT IN ANY CONSTITUTIONAL CHANGE.

14. ALL IN ALL, THE SPEECH LACKED COHERENCE AND SPECIFICITY. WE JUDGE THAT THERE WILL BE SOME DISAPPOINTMENT AT HOME IN SPAIN AND, POSSIBLY, MORE IN WESTERN EUROPE. THE GERMANS HAVE TOLD US THAT FRAGA SIAID THAT THEY SHOULD NOT BE CONCERNED ABOUT THE SPEECH SINCE PROPOSALS FOR REFORM WOULD BE SET FORTH SHORTLY. AT ALL EVENTS, WE WILL HAVE TO WAIT A BIT LONGER BEFORE WE KNOW WHAT IT IS THE GOVT PROPOSES. WE EXPECT PRESS INTERPRETATIONS WILL VARY CONSIDERABLY, DEPENDING ON WHETHER THEY DEAL WITH THE PARTS OF THE SPEECH PLEASING TO THE CORTES
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BUNKER" OR TO PARTS THAT CALL FOR REFORM IN KEY AREAS.
STABLER

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